

IN THE CLAIMS:

Please cancel Claims 19 to 22 and 25 without prejudice or disclaimer of subject matter, and amend the claims as shown below. The claims, as pending in the subject application, read as follows:

1. (Currently Amended) A communication apparatus which includes IP (Internet Protocol) communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number, comprising:

IP address obtaining means for obtaining an IP address of the destination station from an SIP (Session Initiation Protocol) proxy server based on the telephone number of the destination station;

facsimile communication means for performing facsimile communication on a line switching network;

converting means for converting a signal that said facsimile communication means transmits/receives into VoIP (Voice over Internet Protocol) data on an IP network;

IP network connecting means for connecting to the IP network; and

control means for controlling to,

if the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol, start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol, via the IP network connecting means, using the obtained IP address of the destination station, in response to the acquirement of the IP address by said IP address obtaining means, and

if said destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol, cause said facsimile communication means to start transmission/reception of image data to/from the destination station ~~based on a predetermined file transmit/receive protocol, in response to the acquirement of the IP address of the destination station by said IP address obtaining means, and cause~~ causing said converting means to execute conversion of the signal that said facsimile communication means transmits/receives to the VoIP data to ~~and~~ transmit/receive thus converted signal to/from the destination station via said IP network connecting means, ~~and in response to the acquirement of the IP address of the destination station by said IP address obtaining means~~

~~if said destination station is able to transmit/receive the communication data based on the predetermined file transmit/receive protocol, said control means transmits a response confirmation signal to the destination station relevant to the obtained IP address and starts the transmission of the image data, in response to reception of a corresponding response signal of the destination station from said SIP proxy server.~~

2. and 3. (Canceled)

4. (Currently Amended) A communication apparatus according to Claim 1, wherein said IP address obtaining means judges, by analyzing the telephone number of the destination station, whether or not the obtaining means is able to perform the communication with the destination station via a VoIP (Voice over Internet Protocol) network, and tries to obtain the IP address of the destination station from a predetermined

server when it is able to perform the communication via the VoIP network, and said control means transmits/receives the communication data to/from the destination station on the IP network based on the ~~first~~ predetermined file transmit/receive protocol by using the obtained IP address of the destination station.

5. (Previously Presented) A communication apparatus according to Claim 1, wherein said IP network connecting means is an ADSL (Asymmetric Digital Subscriber Line) modem.

6. (Previously Presented) A communication apparatus according to Claim 1, wherein the IP address of the destination station is obtained from a predetermined server based on the telephone number of the destination station by using a predetermined UDP (User Datagram Protocol), and said control means controls to transmit/receive the communication data to/from the destination station by using the obtained IP address of the destination station, based on a predetermined TCP (Transmission Control Protocol).

7. (Currently Amended) A control method executed in a communication apparatus which includes an IP (Internet Protocol) communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number, an IP address obtaining means for obtaining an IP address of the destination station from an SIP (Session Initiation Protocol) proxy server based on the telephone number of the destination station, a facsimile communication means for performing a facsimile communication on a line switching network, a converting means for

converting a signal that said facsimile communication means transmits/receives into VoIP
(Voice over Internet Protocol) data on the IP network, an IP connecting means for
connecting to ~~[[an]]~~ the IP network, and a control unit, the method comprising:

if the destination station is able to transmit/receive communication data on
the IP network based on a predetermined file transmit/receive protocol, the control unit
controlling to start to transmit/receive image data to/from the destination station based on
the predetermined file transmit/receive protocol using the obtained IP address of the
destination station, in response to the acquirement of the IP address by the IP address
obtaining means, and

if the destination station is not able to transmit/receive communication data
on the IP network based on the ~~first~~ predetermined file transmit/receive protocol, the
control unit controlling to cause said facsimile communication means to start
transmission/reception of image data to/from the destination station ~~based on the~~
~~predetermined file transmit/receive protocol in response to the acquirement of the IP~~
~~address of the destination station, and~~ causing said converting means to execute conversion
of the signal that said facsimile communication means transmits/receives is
~~transmitted/received to the VoIP data to~~ and transmit/receive thus converted signal to/from
the destination station via the IP network connecting means, and in response to the
acquirement of the IP address of the destination station by said IP address obtaining means

~~if said destination station is able to transmit/receive the communication data~~
~~based on the predetermined file transmit/receive protocol, the control transmits a response~~
~~confirmation signal to the destination station relevant to the obtained IP address and starts~~

~~the transmission of the image data, in response to reception of a corresponding response signal of the destination station from said SIP proxy server.~~

8. and 9. (Canceled)

10. (Currently Amended) A control method according to Claim 7, wherein the IP address obtaining ~~unit~~ means judges, by analyzing the telephone number of the destination station, whether or not the obtaining ~~unit~~ means is able to perform the communication with the destination station via a VoIP network, and tries to obtain the IP address of the destination station from a predetermined server when it is able to perform the communication via the VoIP network, and the communication data is transmitted/received to/from the destination station on the IP network based on the predetermined file transmit/receive protocol by using the obtained IP address of the destination station.

11. (Currently Amended) A control method according to Claim 7, wherein the IP network connecting unit is an ADSL (Asymmetric Digital Subscriber Line) modem.

12. (Currently Amended) A control method according to Claim 7, wherein the IP address of the destination station is obtained from a predetermined server based on the telephone number of the destination station by using a predetermined UDP (User Datagram Protocol), and the communication data is transmitted/received to/from the

destination station by using the obtained IP address of the destination station, based on a predetermined TCP (Transmission Control Protocol).

13. (Currently Amended) A computer-readable storage medium on which is stored computer code for a control program for a communication apparatus which includes an IP (Internet Protocol) communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number, an IP address obtaining means for obtaining an IP address of the destination station from an SIP (Session Initiation Protocol) proxy server based on the telephone number of the destination station, a facsimile communication means for performing a facsimile communication on a line switching network, a converting means for converting a signal that said facsimile communication means transmits/receives into VoIP (Voice over Internet Protocol) data on the IP network, an IP connecting means for connecting to an IP network, and a control unit, the program comprising:

if the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol, the control means controls to start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol using the obtained IP address of the destination station, in response to the acquirement of the IP address by the IP address obtaining means, and

if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol, the control means controls said facsimile communication means to start transmission/reception of

image data to/from the destination station ~~based on the predetermined file transmit/receive protocol in response to the acquirement of the IP address of the destination station, and causes said converting means~~ execute conversion of the signal that is transmitted/received to the VoIP data to ~~and~~ transmit/receive thus converted signal to/from the destination station via the IP network connecting means, and in response to the acquirement of the IP address of the destination station by said IP address obtaining means

~~if said destination station is able to transmit/receive the communication data based on the predetermined file transmit/receive protocol, the control transmits a response confirmation signal to the destination station relevant to the obtained IP address and starts the transmission of the image data, in response to reception of a corresponding response signal of the destination station from said SIP proxy server.~~

14. and 15. (Canceled)

16. (Currently Amended) A computer-readable storage medium according to Claim 13, wherein the IP address obtaining means judges, by analyzing the telephone number of the destination station, whether or not the obtaining ~~unit~~ means is able to perform the communication with the destination station via a VoIP network, and tries to obtain the IP address of the destination station from a predetermined server when it is able to perform the communication via the VoIP network, and transmitting/receiving the communication data to/from the destination station on the IP network based on the predetermined file transmit/receive protocol by using the obtained IP address of the destination station.

17. (Currently Amended) A computer-readable storage medium according to Claim13, further comprising a control step of performing the transmission/reception of the communication data on the IP network and the transmission/reception of the communication data on an analog communication path by using an ADSL (Asymmetric Digital Subscriber Line) modem.

18. (Currently Amended) A computer-readable storage medium according to Claim 13, further comprising a control steps of obtaining the IP address of the destination station from a predetermined server based on the telephone number of the destination station by using a predetermined UDP (User Datagram Protocol), and transmitting/receiving the communication data to/from the destination station by using the obtained IP address of the destination station based on a predetermined TCP (Transmission Control Protocol).

19. to 26. (Canceled)